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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 30, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

NATHAN D.,¹

Plaintiff,

vs.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 2:22-cv-00215-RHW

**ORDER ADOPTING REPORT
AND RECOMMENDATION TO
DENY PLAINTIFF'S MOTION
FOR SUMMARY JUDGMENT
AND GRANT DEFENDANT'S
MOTION FOR SUMMARY
JUDGMENT**

ECF Nos. 16, 20, 22

Before the Court is the Report and Recommendation issued by Magistrate Judge Alexander C. Ekstrom on October 2, 2023, ECF No. 22, recommending Plaintiff's Motion for Summary Judgment, ECF No. 16, be denied and Defendant's Motion for Summary Judgment, ECF No. 20, be granted. No objections were filed. After reviewing the Report and Recommendation, the Court finds the Magistrate Judge's findings are correct. Therefore, the Court adopts the Report and Recommendation in its entirety.

¹ To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. *See* LCivR 5.2(c).

1 Accordingly, **IT IS ORDERED:**

2 1. The Report and Recommendation, **ECF No. 22**, is **ADOPTED** in its
3 entirety.

4 2. Plaintiff's Motion for Summary Judgment, **ECF No. 16**, is **DENIED**.

5 3. Defendant's Motion for Summary Judgment, **ECF No. 20**, is

6 **GRANTED**.

7 The District Court Executive is directed to enter this order, **ENTER**
8 **JUDGMENT** in favor of Defendant, forward copies to counsel and Magistrate
9 Judge Ekstrom, and **CLOSE THE FILE**.

10 DATED October 30, 2023.

11 *s/Robert H. Whaley*
12 ROBERT H. WHALEY
13 Senior United States District Judge